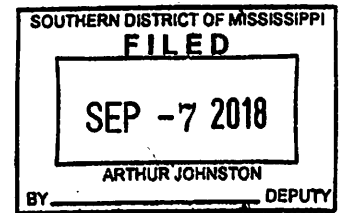


**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**



DOUGLAS HANDSHOE

PLAINTIFF

VS.

CIVIL ACTION NO. 1:15cv382HSO-JCG

VAUGHN PERRET, CHARLES LEARY &
DANIEL ABEL, D/B/A TROUT
POINT LODGE LTD OF NOVA SCOTIA
& IN THEIR INDIVIDUAL CAPACITIES
PROGRESS MEDIA GROUP LIMITED,
MARILYN SMULDERS, TORSTAR
CORPORATION, NATIONAL
GEOGRAPHIC SOCIETY, XYZ
FOUNDATION & JOHN DOES 1-50

DEFENDANTS

**DEFENDANT CHARLES LEARY'S
PRO SE MOTION REGARDING FRESH JUDICIAL
ADMISSIONS RELEVANT TO THE MOTION FOR
PARTIAL SUMMARY JUDGMENT (ECF 218)**

COMES NOW Defendant and Plaintiff by counterclaim **Charles Leary**, appearing *pro se*, and files this his Motion respectfully requesting that the Court take notice of (a) the quashing of discovery requests (ECF 254) heavily relied on by Mr. Handshoe in his Motion for Partial Summary Judgment (ECF 218), as well as fresh judicial admissions made in Mr. Handshoe's recent briefs that directly relate to the issue of summary judgment on Count 5 of the Third Amended Complaint (TAC). Both combined settle the issue of Count 5 in favor of Dr. Leary. Dr. Leary respectfully urges the Court to consider the above in rendering Its decision on summary judgment on Count 5 of the TAC, including Dr. Leary's Motion for Partial Summary Judgment (ECF 225) should the Court decide to alter the dispositive motion deadline as previously requested.

Count 5 should be dismissed with prejudice.

RESPECTFULLY SUBMITTED, this the 5th day of September, 2018.

A handwritten signature in blue ink, appearing to read 'CL' or 'C. Leary', is written above the printed name.

CHARLES LEARY, DEFENDANT

appearing *pro se*

308 5th Ave E
Vancouver, BC V5T 1H4
Canada

802-440-0213
foodvacation@gmail.com

CERTIFICATE OF SERVICE

I hereby certify that, on Sept. 5, 2018, I caused a true and correct copy of the above and foregoing to be filed utilizing the Court's CM/ECF electronic document filing system, which caused notice of such filing to be delivered to all counsel of record and parties requesting notice, and by United States First Class Mail, postage prepaid, to the following non-ECF participants having appeared in this action:

[none]

A handwritten signature in blue ink, appearing to read 'CL Leary', is written over a horizontal line.

Charles L. Leary